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ATTN: MAIL STOP RCE

From:

James E. Klaniecki

Date: October 12, 2005

Corporate Counsel/Patent Attorney

206-265-7000 Ext. 57145

No. of pages including this page:

11

#### MAIL STOP RCE

Re:

US Patent Application Serial No: 09/448,378

Filed: October 12, 2005

For:

METHODS OF USING FLT3-LIGAND FOR AUGMENTING AN

IMMUNE RESPONSE FOR THE TREATMENT OF CANCER (AS

AMENDED)
Our Ref: 2836-D

The following documents are being facsimile transmitted to the USPTO, ATTN: MAIL STOP RCE:

Request for Continued Examination (RCE) Transmittal (1 page + 1 copy); Request for Continued Examination Submission (8 pages)

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#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below.

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Date: Och. 12, 2005

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# REQUEST

### **CONTINUED EXAMINATION (RCE)** TRANSMITTAL

Subsection (b) of 35 U.S.C. § 192, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

Sea The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/448,378
Filing Date	November 23, 1999
RCE Filing Date:	October 12, 2005
First Named Inventor	Kenneth Brasel
Group / Art Unit	1644
Examiner Name	P. Gambel
Attorney Docket No.	2836-D

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F. R § 1.114 to effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consister filing a continued prosecution application (CPA) under 37 C.F. R § 1.53 (d) (PTC/SB25) instead of a RCE to be slighly for the patent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Ped. Reg. 14865 (Mar. 20, 2000), Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice. 1. Submission required under 37 C.F. R. § 1.114 Previously submitted Consider the amendment(s)/reply under 37 C.F.R. § 1.118 previously filed on (Any unentered amendment(s) referred to above will be entered). İ. Consider the arguments in the Appeal Brief or Reply Brief previously filed on III. Other 図 Amendment/Reply i. Affidavit(s)/Declaration(s) II. П iii. 🔲 Information Disclosure Statement (IDS) Other Statement of Common Ownership 2. Miscellaneous Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ \_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required) ь. 3. Fees I The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed. The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0089 RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00. i. ii. 図 Extension of time fee (37, C.F.R. §§ 1.136 and 1.17) in the amount of \$1,020.00. If an additional extension of time is required; please consider this a request therefor. iii. Other Check in the amount of \$\_ is enclosed. Payment by credit card (Form PTO-2038 enclosed) C. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED NAME (Print/Type) James E. Klaniecki Registration No. (Attorney/Agent) SIGNATURE October 12, 2005 Date: CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mall Stop RCE Controlssioner For Patents, P.O. Box RCE, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: NAME (Print/Type) Nanci M. Kertson SIGNATURE Date: October 12, 2005

09448378

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## REQUEST

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## CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 192, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1899 (AIPA).

flection of information unicss it displays a valid Owner Control To.		
Application Number	09/448,378	
Filing Date	November 23, 1999	
RCE Filing Date:	October 12, 2005	
First Named Inventor	Kenneth Brasel	
Group / Art Unit	1644	
Examiner Name	P. Gambel	
Attorney Docket No.	2836-D	

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 or the above-regitation application in May 29, 2000. If the above-regitation was field prior to May 29, 2000, applicant may wish to NOTE: ST.C.F.R. § 1.114 is effective on May 29, 2000. If the above-regitation was field prior to May 29, 2000, applicant may wish to sonsister fiting a continued prosocution epotestic (CPA) under 37 C.F.R. § 1.53 (0) PTOSB/28) Instead of a RCE to be eligible for the patient lerm equision for the AIPA. See Charges to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), Or., Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.					
1. Submission	1. Submission required under 37 C.F. R. § 1.114				
a. 🗆 P	Previously submitted	•			
ì. C	Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on				
ii. 🗆					
mi. C	Other				
b. ⊠ ≡	Enclosed				
i. 🛭	Amendment/Reply	•	•		
ii. Affidavit(s)/Declaration(s)					
ii. C	iii. Information Disclosure Statement (IDS)				
iv [	Other Statement of Common Ownership				
2. Miscellan	2. Miscellaneous				
51. Survey of a size on the chara identified application is requested under 37 C.F.R. § 1.103(c) for					
a period of months, (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)					
b. Other  3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.					
3. Fees T	The RCE fee under 37 C.F.R. § 1.17(e) is requi	red by 37 C.F.R. § 1.114 when the RCE is	illed.		
a.  The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0089					
i. RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00.					
ii.   Extension of time fee (37. C.F.R. §§ 1.136 and 1.17) in the amount of \$1,020.00. If an additional extension of time is required, please consider this a request therefor.					
	Other	t tedocarateroria.			
ii. L	Check in the amount of \$ is end	osed			
c. Payment by credit card (Form PTO-2038 enclosed)					
	SIGNATURE OF APPLICANT,	ATTORNEY OR AGENT REQUIRED	<u> </u>		
NAME (PROMY)	James E. Klaniecki	Registration No. (Attorney/Agent)	38,207		
SIGNATURE	Sant Comp	Date: October 12, 2005			
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